

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ANDREW J. KAMPURIES; CULEBRA
ISLAND MUNICIPALITY; MAYOR
EDWIN JUNTO ROMERO

Plaintiffs

v.

SVI INVESTMENTS II, LLC; DANIEL W.
SHELLEY; JOHN DOE 1-10

Defendants

Civil Action No. 23-01177-SCC

MOTION TO STRIKE AND FOR ENTRY OF JUDGMENT

TO THE HONORABLE COURT:

COME NOW, Defendants, SVI Investments II, LLC and Daniel W. Shelley (the “Defendants”), through their undersigned counsel, and respectfully state and request:

1. On April 12, 2023, plaintiff Andrew J. Kampuries (the “Plaintiff”) filed the complaint in this case (**Docket No. 1**).
2. On September 1, 2023, Defendants voluntarily submitted themselves to the jurisdiction of this Court by the filing of a Motion to Dismiss or for Summary Judgment (the “Motion”) (**Docket No. 5**).
3. On September 12, 2023, the Plaintiff filed a Memorandum in Opposition to the Motion (the “First Memorandum”) (**Docket No. 6**).
4. On September 27, 2023, the Plaintiff filed a Second Memorandum in Opposition to the Motion (the “Second Memorandum”) (**Docket No. 7**).
5. Both the First and the Second Memorandums are non-responsive to the Motion, plagued with disingenuous, irrelevant, incoherent, unrelated matters, devoid of any pertinent evidence, causing them to be a frivolous and mendacious disruption of the judicial process, not

only warranting that they be stricken pursuant to Fed. R. Civ. P. 12(f)¹, but the immediate imposition of attorney's fees and sanctions on the Plaintiff to preclude similar repetitive filings, as well as the granting of the Motion.

WHEREFORE, it is respectfully requested that the First and the Second Memorandums be directed to be stricken from the record of this case and that the Motion be granted with imposition of attorney's fees and sanctions on the Plaintiff.

CERTIFICATE OF SERVICE: I hereby certify that on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participants and forwarded a copy to Mr. Andrew J. Kampuries to his mailing address of: 3 Palm Dr., Winddorstocks, CT 06096 and his e-mail address: culebrakid212@gmail.com.

San Juan, Puerto Rico, this 2nd day of October 2023

s/CHARLES A. CUPRILL-HERNÁNDEZ
USDC-PR 114312

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¹ Fed. R. Civ. P. 12(f) states:

(f) Motion to Strike. The court may strike from a pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter. The court may act:

(1) on its own; or

(2) on motion made by a party either before responding to the pleading or, if a response is not allowed, within 21 days after being served with the pleading.